

# Richmond Planning Board

## Guidelines under RSA 231:158 Scenic Road

For the purpose of limited trimming and the removal of trees on Richmond's Class 5 Scenic Roads.

Any road other than a Class I or II highway can be designated as a scenic road (RSA 231:157) by the legislative body of a city or town. Scenic Road designation requires the state and/or the municipality to obtain written permission of the planning board prior to any repair, maintenance, reconstruction or paving work on the road if such work requires damage or removal of trees, or the removal or destruction of stone walls. Likewise, any utility or other person who wishes to install or maintain poles, conduits, cables, wires, pipes or similar structures must obtain prior written consent of the planning board if the work involves tree cutting or removal of stone walls.

**Trees Defined.** RSA 231:157, I defines "tree" as "any woody plant" that is at least 15 inches in circumference at four feet from the ground.

Exceptions:

**Road Agent.** The road agent may remove trees that have been designated a public nuisance, in accordance with the process outlined in **RSA 231:145 and 146.**

**Utility.** When a public utility is involved in "the emergency restoration of service," it may perform work necessary to promptly restore utility service that has been "interrupted by facility damage" without a prior public hearing of the planning board or written permission of the selectmen. **RSA 231:158, II.**

**Landowners.** Scenic road designation does not affect the rights of landowners to cut trees on their own property, unless the municipality has acquired the trees as shade or ornamental trees under the provisions of **RSA 231:139 through 156.**

**Penalty.**

Any person who violates the scenic road law or any additional local regulations governing scenic roads is guilty of a violation and shall be liable for all damages resulting from such violation. **RSA 231:158, VI.**

### **Guidelines to be submitted to the Richmond Planning Board.**

1. Map of road/roads where proposed cutting will be occurring with all tree locations clearly defined. Please, use utility pole numbers, land marks, mail boxes, driveways or fixed objects to clarify the location. Narrative can be on a separate sheet of paper.
2. Identify each tree by species, size and the trees present general health. This can be done in your narrative on a separate sheet.
3. All trees being requested for removal must have a surveyors' ribbon or be clearly mark before Planning Board Scenic Road walk.
4. The representative of the state and /or municipality must be present for the Site Walk to answer all questions the Board may have. Or, a designated representative must be present who can answer all questions clearly and concisely. If questions are not answered clearly and to the board's satisfaction the hearing will be continued at the Boards choice.